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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,036	04/06/2000	Catherine Lin-Hendel	LH001	7503

			EXAMINER

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ANATOLY S. WEISER
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EXAMINER
TRAN, MYLINH T

ART UNIT	PAPER NUMBER
2179	

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
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09/544,036</td>
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LIN-HENDEL, CATHERINE</td>
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Mylinh Tran</td>
<td>Art Unit
2179</td>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 March 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-49</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-49</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Applicant's request for consideration filed 03/06/06 has been entered and

carefully considered. However, arguments regarding rejections under 35.U.S.C

103 to claims (1-49) have not been found to be persuasive. Therefore, these

claims are rejected under the same ground of rejection as set forth in the Office

Action mailed (11/29/05).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented
and the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 7, 8, 12-24, 26, 27, 29, 31, 48, and 49 are rejected under 35 U.S.C.

103(a) as being unpatentable over Himmel et al. [US. 6,211,874] in view of

Gibson [US. 6,313,854].

As per independent claims 1, 27 and 48, Himmel teaches a computer

implemented method and corresponding system for selecting and

simultaneously displaying a plurality of digitally stored objects comprising the

steps/means:

means for displaying digitally stored objects via a webpage (fig. 5A);

means for enabling a user using input device to select on said webpage a

plurality of the displayed digitally stored objects each displayed digitally stored

object having at least one dynamically linked associated destination object

(Hypertext link of fig. 5A; col. 6, lines 61-67); and

means for enabling the user to submit the plurality of selected objects for

processing (col. 7, lines 26-29);

means for retrieving the at least one dynamically linked destination object for

each selected one of the plurality of the displayed digitally stored objects

together from a storage medium and then simultaneously displaying together

the retrieved destination objects for viewing (fig. 5C; col. 7, lines 26-29 and col.

7, lines 46-67 through col. 8, lines 1-36).

Himmel does not disclose the plurality of stored objects displayed within a

single window. Gibson discloses a plurality of stored window objects 112a,

112b and 112c displayed within a single window 114 (fig. 6; col. 8, lines 6-43). It

would have been obvious to an artisan at the time of the invention to use the

teaching from Gibson of displaying a plurality of stored window objects

displayed within a single window since users can more effectively manipulate

and manage the viewable area of the browser while preserving the advantages

of frames.

As per claim 7, which is dependent on claim 1, Himmel teaches means for sub-

framing information associated with the selected plurality of digitally stored

objects (fig. 5C; col. 7, lines 26-29).

As per claim 8, which is dependent on claim 7, it is inherent in the Himmel's

system that if data in the sub-framed windows (fig. 5C) exceed the sub-framed

windows, a horizontal dynamic scroll bar and a vertical dynamic scroll bar that

allow an orderly arrangement and presentation of textual information would be

presented.

As per claim 12, which is dependent on claim 1, Himmel teaches the selection

means being adapted to select each selected displayed digitally stored object of

the selected plurality of displayed digitally stored objects one at a time by

pointing to a different link-token associated with each different one of the

plurality of displayed digitally stored objects and, after all of the selected

plurality of displayed digitally stored objects have been selected, single clicking

a computer mouse button (from col. 6, lines 61-67 through col. 7 line 1); and

double clicking the computer mouse button retrieving together and

simultaneously displays together the associated destination objects (col. 7, lines

6-11 and from col. 6, lines 61-67 through col. 7, line 1 and col. 7, lines 7-8);

As per claim 13, which is dependent on claim 12, Himmel teaches each one of

the different associated link-tokens being a first color and each time one of the

plurality of digitally stored objects is selected by single clicking the computer

mouse button, the first color changes to a second color to indicate the selection

of the digitally stored object (col. 7, lines 20-25).

As per claim 14, which is dependent on claim 13, according to Himmel's web-

based system, it is inherent that each one of the selected link-tokens would

change to a different (third) color when a browser returns to a list of the plurality

of digitally stored objects (fig. 5A) from the retrieved and simultaneously

displayed associated destination objects (fig. 5C) to indicate that they have been visited.

As per claim 15, which is dependent on claim 13, Himmel teaches single clicking on the selected link-token de-selecting the link-token so that the link-token reverts to the first color indicating the de-selection of the link-token (col. 7, lines 3-5 and lines 20-25).

As per claims 16, which is dependent on claim 1, Himmel teaches means for selecting the plurality of digitally stored objects one at a time by pointing to and clicking on a different link-token associated with each different one of the plurality of digitally stored objects and clicking the first computer mouse button while holding down the unique control key sequence (from col. 6, lines 65-67 through col. 7, lines 1-3).

As per claim 17, which is dependent on claim 16, it is a similar scope to claim 13; therefore, it should be rejected under similar rationale.

As per claims 18, which is dependent on claim 1, Himmel teaches the selection means being employed and the retrieval means being invoked using a computer mouse having a first button and a second button (one of the mouse buttons; from col. 6, lines 61-67 through col. 7, line 1 and col. 7, lines 7-8), the plurality of digitally stored objects being selected one at a time by pointing to a different link-token associated with each different one of the plurality of digitally stored objects and clicking the first (from col. 6, lines 65-67 through col. 7, lines 1-3), and then after all of the plurality of digitally stored objects have been

selected, clicking the second computer mouse button to retrieve and

simultaneously display the associated destination objects (col. 7, lines 6-11).

As per claims 19 and 20, which are both dependent on claim 18, Himmel

teaches the first one of the retrieved associated destination objects

simultaneously displayed for viewing being made larger than the other

simultaneously displayed destination objects by using a computer input device

to invoke the first destination object, and when the computer input device being

used to invoke a second one of the retrieved associated destination objects

simultaneously displayed for viewing, the first destination object returns to the

same smaller size of the other simultaneously displayed destination objects and

the second destination object is made larger then the other simultaneously

displayed destination objects. As indicated by fig. 5C, when the user invokes

the first linked web browser by clicking on it, it is made larger than the rest of

the linked web browsers, and when the users invoke on the second linked web

browser, the first one is returned to the smaller size of the other linked web

browsers and the second linked web browser is made larger than the rest of the

linked web browsers.

As per claim 21, which is dependent on claim 18, it is a similar scope to claims

13 and 14, therefore, it should be rejected under similar rationale.

As per claim 22, which is dependent on claim 1, Himmel teaches the system

being used on a personal computer (fig. 3).

As per claim 23, which is dependent on claim 1, Himmel teaches the system is used with a computer network (fig. 3 and fig. 4).

As per claim 24, which is dependent on claim 1, Himmel teaches the system being used on a CD ROM (fig. 3 and fig. 4).

As per claim 26, which is dependent on claim 1, it is inherent that Himmel's system would be implemented using software.

As per claim 29, which is dependent on claim 27, it is a similar scope to claim 12; therefore, it should be rejected under similar rationale.

As per claim 31, which is dependent on claim 27, Himmel teaches primarily textual content associated with each one of the retrieved associated objects is sub-framed (fig. 5C).

As per claim 49, which is dependent on claim 48, Himmel in view of Gibson teaches each object of the plurality of retrieved linked destination being displayed in a separate sub-frame within the single window (e.g., Gibson; fig. 6; each stored window objects 112a, 112b, 112c is displayed in a separate sub-frame 112a, 112b, 112c within the single window 114).

Claims 2-5, 32-34 and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel in view of Gibson and further in view of Kaply [US 6,215,490].

As per claim 2, which is dependent on claim 1, Himmel does not disclose means for providing a two-dimensional array of graphical thumbnails of the digitally stored objects. Kaply discloses that in fig. 5A. It would have been

obvious to an artisan at the time of the invention to use the teaching from Kaply

of means for providing a two-dimensional array of graphical thumbnails of the

digitally stored objects in Himmel's system since graphical thumbnails would

give more of a hint (information) than plain texts and two-dimensional array

would accommodate a large number of the digitally stored objects.

As per claims 3, 4, and 5, which are all dependent on claim 2, Kaply's fig. 5A

inherently indicates that the graphical thumbnails in the two-dimensional array

can be selectively scrolled at any one of the plurality of speeds, can be

selectively stopped from scrolling, and can be selectively scrolled vertically and

horizontally.

As per independent claim 32, Himmel teaches a Web electronic document page

displaying simultaneously together a plurality of scrolling sub-framed arrays

(col. 7, lines 18-29 and col. 7, lines 46-67 through col. 8, lines 1-36). It is

inherent in Himmel's system that each sub-framed array is independently and

selectively stopped and scrolled at a selective speed by a viewer (using the

scrollbar control.)

Himmel does not disclose the plurality of scrolling sub-framed arrays displayed

within a single electronic webpage. Gibson discloses a plurality of scrolling sub-

framed arrays 112a, 112b and 112c displayed within a single electronic

webpage 114 fig. 6; col. 8, lines 6-43). It would have been obvious to an artisan

at the time of the invention to use the teaching from Gibson of displaying a

plurality of scrolling sub-framed arrays displayed within a single electronic

webpage since users can more effectively manipulate and manage the viewable area of the browser while preserving the advantages of frames. Modified Himmel does not disclose each sub-framed array containing a frame containing a plurality of thumbnails and a plurality of independently selectable sub-frames. Kaply discloses a plurality of sub-framed windows containing scrolling arrays, each sub-framed array containing a plurality of thumbnails and a plurality of independently selectable sub-frames (fig. 5A). It would have been obvious to an artisan at the time of the invention to use the teaching from Kaply of including a plurality of thumbnails in each of the sub-framed arrays in modified Himmel's system since the thumbnails would give more of a hint (information) than plain texts.

As per claim 33, which is dependent on claim 32, modified Himmel does not disclose when a page loads for a first time a default category selected by a website operator is displayed, and when the page loads for a time other than the first time, a category corresponding to the category last viewed by the viewer when they accessed the page is displayed. It is inherent in Himmel's web-based system that when a multi-frame web page is loaded for the first time, the default category frame is loaded and when the page is loaded for a time other than the first time, by hitting the back button, a category corresponding to the category last viewed by the viewer when they accessed the page is displayed.

As per claim 34, which is dependent on claim 32, modified Himmel does not

disclose each sub-framed array includes a progress bar indicating how much of

the total array has been viewed, the bar also indicating the beginning and end

of the sub-frame array. Kaply discloses the two vertical and horizontal scrollbars

with the progress bars 160 in fig. 4. It would have been obvious to an artisan at

the time of the invention to use the teaching from Kaply of including a progress

bar in each sub-frame array indicating how much of the total array has been

viewed and indicating the beginning and end of the sub-frame array in the

modified Himmel's system since it would help the users to know where they are

in the arrays of the thumbnails.

As per claim 40, which is dependent on claim 32, modified Himmel does not

disclose when a viewer removes a cursor from a thumbnail; the sub-frame array

in which the thumbnail resides resumes scrolling. Kaply's system in fig. 58

implies that when the viewer removes the cursor from a thumbnail in order to

scroll the scrollbar, the array in which the thumbnail resides resumes scrolling.

It would have been obvious to an artisan at the time of the invention to use the

teaching from Kaply of removing a cursor from a thumbnail, the sub-frame array

in which the thumbnail resides resumes scrolling since the array would reveal to

the viewer more available thumbnails.

As per claims 41, 42, and 43, which are all dependent on claim 32, it is inherent

in Himmel's window system that the position of the thumbnail relative to the

sub-frame array is selectively controllable by the viewer or a website operator;

the enlarged image of the thumbnail can be selectively programmed to remain

on-screen, be minimized or pushed to the background;

the page can display any desired number of sub-frame arrays of interest, the

sub-frame arrays able to be manually or automatically extended beyond the

screen, scrolled horizontally and vertically, or resized so that all of the sub-

frames are viewable.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel

in view of Gibson and Kaply and further in view of Gilman et al. [US. 6,208,770].

As per claim 6, which is dependent on claim 2, Himmel does not disclose the

two-dimensional array of graphical thumbnails having a selectively adjustable

number of columns and rows. Gilman discloses that in fig. 6, col. 5, lines 57-59.

It would have been obvious to an artisan at the time of the invention to use the

teaching from Gilman of the two-dimensional array of graphical thumbnails has

a selectively adjustable number of columns and rows in the modified Himmel's

system since it would adjust the number of graphical thumbnails to fit on the

screen, and it would give a better arrangement of the thumbnails on the screen

by the users.

Claims 9-11 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Himmel in view of Gibson and further in view of Iyengar et al. [US,

6,360,205].

As per claims 9, 10 and 11, which are all dependent on claim 1, Himmel

teaches the selection means including a different link-token associated with

each one of the plurality of digitally stored objects (fig. 5A), each one of the

plurality of displayed digitally stored objects adapted to be selected one at a

time by using a computer input device to select, and de-select, a different link-

token such that they are visually highlighted, and back to normal in case of de-

selecting, for the user (fig. 5A, 5B; from col. 6, lines 61-67 through col. 7, lines

1-5 and col. 7, lines 18-2 1), a button (multi-link button 115 of fig. 5A) being

invoked to retrieve together and simultaneously display together the associated

destination objects (col. 7, lines 6-1 1 and lines 25-29, and col. 7, lines 46-67

through col. 8, lines 1-36). Himmel does not disclose the selection means

include a different check box associated with each one of the plurality of

digitally stored objects, each one of the plurality of digitally stored and

presented objects being selected one at a time by using a computer input

device to select, and de-select, a different check box such that a check

appears, and disappears in case of de-selecting, in the check box. Iyengar

discloses that in fig. 8. It would have been obvious to an artisan at the time of

the invention to use checkbox selecting and de-selecting in place of Himmel's

link selecting since checkbox method is well known and widely used when

selecting multiple objects on web pages.

As per claim 28, which is dependent on claim 27, it is a similar scope to claim 9;

therefore, it should be rejected under similar rationale.

Claims 25 and 30 are rejected under 35 U.S.C. l03(a) as being unpatentable

over Himmel in view of Gibson and further in view of Applicant's admitted prior

art.

As per claim 25, which is dependent on claim 1, Himmel does not disclose the

system being used on a wireless device. This feature is taught by Applicant's

admitted prior art. It would have been obvious to an artisan at the time of the

invention to include the wireless capability in Himmel's system since it would

have provided the flexibility and portable to the system.

As per claim 30, which is dependent on claim 27, Himmel teaches selecting

each one of the plurality of digitally stored objects one at a time by pointing to a

different link-token associated with each different one of the plurality of digitally

stored objects and clicking the first computer mouse button while holding down

the unique control key sequence (from col. 6, lines 65-67 through col. 7, lines 1-

3). He does not disclose clicking the first computer mouse button while holding

down the second computer mouse button. This feature is taught by Applicant's

admitted prior art. It would have been obvious to an artisan at the time of the

invention to use the selecting technique of clicking the first computer mouse

button while holding down the second computer mouse button in Himmel's

selecting technique since both techniques are considered equivalent.

Then after all of the plurality of digitally stored objects have been selected,

clicking the first computer mouse button without holding the second computer

mouse button to retrieve and simultaneously display the associated destination

objects (col. 7, lines 6-11).

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson and Kaply and further in view of Gavron et al.

As per claim 35, which is dependent on claim 32, modified Himmel does not

disclose when a viewer moves a cursor to a thumbnail of interest, the sub-frame

array stops rolling and high level information regarding the thumbnail appears in

a dialog box positioned approximate to the thumbnail of interest. Kaply's system

in fig. 4 implies that when the users do not scroll the array and move the cursor

to a thumbnail of interest, the array stops rolling. Gavron discloses that in his

figures in steps 3 and 5 page 105. When the user moves a mouse over a

window thumbnail icon, information associated with that icon pop up in a dialog

box that positioned approximate to that icon. It would have been obvious to an

artisan at the time of the invention to use the teaching from Kaply and Gavron

of moving a cursor to a thumbnail of interest, the sub-frame array stops rolling

and high level information regarding the thumbnail appears in a dialog

box positioned approximate to the thumbnail of interest in modified Himmel's

system since the dialog box associated with the interested thumbnail would give

brief information about the thumbnail quickly.

Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson and Kaply and further in view of Tang et al [US.

5,793,365].

As per claim 36, which is dependent on claim 32, modified Himmel does not

disclose selecting a thumbnail of interest results in a larger image of the

thumbnail appearing with more detailed information in a sub-frame that the

viewer can scroll manually or that can be automatically scrolled. Tang discloses

when selecting on the interested thumbnail 26 of fig. 5, the larger image of

thumbnail appeared with more detailed information and the viewer can scroll

that sub-frame by the scrollbar (fig. 6). It would have been obvious to an artisan

at the time of the invention to use the teaching from Tang of selecting a

thumbnail of interest results in a larger image of the thumbnail appearing with

more detailed information in a sub-frame that the viewer can scroll manually or

that can be automatically scrolled in modified Himmel's system since the

sub-frame would give more detailed information associated with the selected

thumbnail, and at the same time it would occupy only a small window estate.

Claims 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson and Kaply and further in view of Itoh [US. 5,966,122].

As per claims 37 and 38, which are dependent on claim 32 and 37 respectively,

modified Himmel does not disclose when a viewer selects a thumbnail of

interest, a border surrounding the thumbnail being highlighted wherein a color

of the highlighted border changes to indicate that the image has been selected and viewed. Itoh discloses that in col. 11, lines 14-19. It would have been obvious to an artisan at the time of the invention to use the teaching from Itoh of coloring the highlighted thumbnail border in modified Himmel's system since it would clearly identify the selected thumbnail.

As per claim 39, which is dependent on claim 38, modified Himmel does not disclose after viewing the thumbnail the viewer being not interested in the selected thumbnail, the viewer can close the image and the color of the highlighted border changes or disappears to indicate that the thumbnail was viewed but of no further interest to the viewer. Itoh discloses the border of the selected thumbnail being highlight in color (col. 11, lines 14-19. He does not specifically disclose, but his system implies that after the viewer closes the image, the color of the highlighted border changes or disappears to indicate that the thumbnail was viewed but of no further interest to the viewer. It would have been obvious to an artisan at the time of the invention to use the teaching from Itoh of closing the image causing the color of the highlighted border changes or disappears in modified Himmel's system since it would inform the viewer that the thumbnail is no longer selected.

Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel in view of Gibson and Kaply and further in view of Moore et al. [US. 6,330,575].

As per claim 44, which is dependent on claim 32, Himmel's system of sub-frame

arrays windows (in fig. 5C) inherently indicates that they could be selected and

enlarged. Modified Himmel does not disclose the sub-frames can include

transactional commands to process a commercial transaction. Moore discloses

that in (fig. 15). It would have been obvious to an artisan at the time of the

invention to use the teaching from Moore of including transactional commands

to process a commercial transaction since it would allow the user to process the

commercial transaction immediately after viewing an interested thumbnail.

Claim 45 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson and Kaply and further in view of Collins-Rector et al.

[US. 6,188,398].

As per claim 45, which is dependent on claim 32, modified Himmel does not

disclose the thumbnails display advertising. Collins-Rector discloses that in fig.

2. It would have been obvious to an artisan at the time of the invention to use

the teaching from Collins-Rector of displaying advertising in the thumbnails in

modified Himmel's system since it would cause attention from the users.

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson and Kaply and further in view of Applicant's admitted

prior art.

As per claim 46, which is dependent on claim 32, modified Himmel does not

disclose the webpage including at least one textual link and at least one

graphical link, each link representing a different category of information. The

application prior art cited in fig. 3A of shows that user could link to different

categories by clicking on textual link "Antiques" and graphical link "Sell your

Item". It would have been obvious to an artisan at the time of the invention to

use the teaching of including at least one textual link and at least one graphical

link, each link representing a different category of information in modified

Himmel's system since it would vary the presentation of the pages and make

the pages more interesting to the viewers.

Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Himmel in view of Gibson, Kaply and Applicant's admitted prior art and further in

view of Iyengar.

As per claim 47, which is dependent on claim 46, modified Himmel does not

disclose the webpage including at least one control element for controlling the

textual and graphical links. Iyengar discloses multiple control elements for

controlling the different flight links in fig. 8. It would have been obvious to an

artisan at the time of the invention to use the teaching from Iyengar of including

at least one control element for controlling the textual and graphical links in

modified Himmel's system to give the user more criteria to filter out the linked

pages.

Response to Arguments

Applicant argued the following:

(a) The previous filed two declarations under 37 C.F.R. 1. 131 show that in 1996 and 1997, the inventor was in procession of an embodiment of the invention capable of performing the basic inventive concept commensurate with the scope of independent claims 1 and 27. The declarations recite specific facts and include contemporaneously created notes and printout exhibits created from contemporaneous code.

(b) With respect to claims 1 and 27, Gibson does not teach claimed display in single window.

(c) Motivation to combine is lacking.

(d) Gibson teaches away from displaying multiple windows in sub-frames of a single window, as recited in independent claim 32.

The Examiner disagrees for the following reasons:

(a) Reduction to Practice.

The Declarations filed on 12/18/03 and 09/30/04 under 37 CFR 1.131 have been considered but is ineffective to overcome the applied references.

1. Applicant seeks to establish prior invention by showing reduction to practice before 05/15/98 the date of the Himmel's reference.

2. In general, proof of actual reduction to practice requires a showing that the apparatus actually existed and worked for its intended purpose. *(See MPEP 715.07)*

For an actual reduction to practice, the invention must have been sufficiently tested to demonstrate that it will work for its intended purpose, but it need not be in a commercially satisfactory stage of development. If a device is so simple, and its purpose and efficacy so obvious, construction alone is sufficient to demonstrate workability. King Instrument Corp. v. Otari Corp., 767 F.2d 853, 860, 226 USPQ 402, 407 (Fed. Cir. 1985). *(See MPEP 2138.05).*

3. Applicant relies on Exhibits 1-3 to show reduction to practice; however, Exhibits 1-3 are merely a description of the concept of the invention.

4. Furthermore, the reduction to practice which must be shown is reduction to practice of the claimed invention. As already explained in the previous action, Exhibits 1-3 do not show the claimed invention.

5. There is not enough evidence to clearly prove the relationships between Exhibits 1-3 and the claims. Therefore, no reduction to practice has been shown and applicant has failed to establish prior invention. Applicant's arguments of the Declaration filed 03/06/06 on under 37 CRF 1.131 have been fully considered but they are not persuasive, and the rejection is still remained.

(b) The claimed language itself "for retrieving the at least one dynamically linked destination object for each selected one of the plurality of the displayed digitally stored objects" is still not specific and clear enough to describe "plurality of

objects are simultaneously displayed together in a single window" of the invention because the system just needs to retrieve and display at least one (object) of the plurality objects and then only one object (at a time) displays in a single window.

Base on the examiner's interpretation, Himmel in view of Gibson still read over the claim language itself "for retrieving the at least one dynamically linked destination object"

The Applicant does not specify the invention in the claimed language. It is not clearly enough to describe "plurality of objects are simultaneously displayed together in a single window" of the specification.

During patent examination, the pending claims must be "given >their< broadest reasonable interpretation consistent with the specification." > In re Hyatt, 211 F.3d 1367, 1372, 54 USPQ2d 1664, 1667 (Fed. Cir. 2000). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

(c) Both Himmel and Gibson teach a single Internet webpage window contains HTML files and hypertext links. They both disclose a big single window containing multiple objects.

(d) In the Gibson's system, at figure 6, each child window represents a sub-frame array. Each child window could be scrolled and contains plurality of thumbnails which are webpage contents. These windows (1, 2 and 3) are independent from each other and independently edited by the users.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Mylinh Tran. The examiner can

normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or

proceeding is assigned are as follows:

571-273-8300

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(toll-free).

Mylinh Tran

Art Unit 2179

BA HUYNH
PRIMARY EXAMINER